



## Committee Report

**Planning committee** - 28 January 2019

**Application no** DC/19/4322/FUL

**Location**

102 Main Road  
Kesgrave  
Suffolk  
IP5 1BL

**Expiry date** 1 January 2020

**Application type** Full Application

**Applicant** Webena Homes Limited

**Parish** Kesgrave

**Proposal** Replacement Dwelling

**Case Officer** Rachel Smith  
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### 1. Summary

- 1.1. The application site is located on the northern side of Main Road, Kesgrave and in planning terms is in the countryside. The application seeks to replace the existing bungalow with a larger property located in a different position within the site.
- 1.2. The application was presented to the referral panel on 23rd December 2019. At this meeting it was decided that the application should be determined by Committee so that they could give full consideration to whether the proposal was 'more visually intrusive in the countryside', particularly with regard to the increased footprint in relation to Policy DM3.
- 1.3. The application is recommended for approval as the proposed replacement dwelling is considered to be no more visually intrusive in the countryside than the building to be replaced, when seen in the context of the adjacent buildings to the north, and therefore compliant with Policy DM3.

## 2. Site description

- 2.1. The site lies to the north of Main Road, Kesgrave on the junction with Doctor Watson's Lane and is outside of the physical limits boundary. The site therefore lies within the countryside. The existing property is a modest bungalow, located in close proximity to the highway junction, however the site curtilage extends approximately a further 30 metres to the east and 30 metres back from Main Road.
- 2.2. To the east of the site, there is a wooded area including a number of mature trees, but these are not covered by any designation. To the north of the site is an Electricity substation and BT Telephone Exchange. The main built up area of Kesgrave lies to the south of the site on the opposite side of Main Road.

## 3. Proposal

- 3.1. The proposal involves the demolition of the existing property and its replacement with a new, detached property. Access to the plot would be off Doctor Watson's Lane in the location of the existing bungalow. The driveway would lead into the larger part of the site and provide an ample parking area adjacent to the southern site boundary with Main Road. The proposed dwelling would be located immediately to the north of this and the main private garden area would be located to the north and west of the property.
- 3.2. The proposed dwelling would be single storey in scale however have a significantly larger footprint than the existing dwelling. The property has been designed such that it would have two 'blocks' of accommodation linked by an entrance porch/hall. The property would be set further back on the site than the existing and have two gables fronting Main Road. would also be an attached double garage to the west of the property.

## 4. Consultations/comments

- 4.1. No third party representations have been received.

### Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Kesgrave Town Council	21 November 2019	No response
Summary of comments: Refuse - voting was unanimous. The committee believe this is contrary to policy DM21 - not in keeping with the street scene. The height of the fence is excessive for a front garden, which has resulted in vehicles having restricted visibility driving into and out of the car parking area. The Committee are also very concerned that where the fence has been erected includes the 1-meter service strip which runs along the footpath and around this property. They therefore believe the property has included land within their boundary, which they do not own.		

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	N/A	17 December 2019
Summary of comments: No objection subject to conditions		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	21 November 2019	No response
Summary of comments: Object due to a lack of information regarding the potential impacts upon protected and/or UK Priority species.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	21 November 2019	22 November 2019
Summary of comments: Suggests full suite of contaminated land conditions		

Consultee	Date consulted	Date reply received
Ecology (Internal)	5 December 2019	20 December 2019
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	N/A	30 December 2019
Summary of comments: No objections subject to condition		

## 5. Publicity

None

## Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 25 November 2019

Expiry date: 16 December 2019

## 6. Planning policy

- 6.1. On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.
- 6.2. In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.
- 6.3. East Suffolk Council's Development Plan, as relevant to this proposal, consists of:
- East Suffolk Council Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
  - East Suffolk Council Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017);
- and
- The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations;
- 6.4. The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) are:
- SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP29 - The Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM3 - Housing in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- 6.5. The relevant policies of the Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017) are:

SSP2 – Physical Limits Boundaries - Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017)

- 6.6. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the Examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link: [www.eastsuffolk.gov.uk/localplanexamination](http://www.eastsuffolk.gov.uk/localplanexamination) .
- 6.7. Presently, only those emerging policies which have received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019).
- 6.8. At this stage in the Plan Making process, the policies which received little objection (or no representations) can be given more weight in decision making if required, as outlined

under paragraph 48 of the NPPF. There are no policies of that nature relevant to the consideration of this application.

## **7. Planning considerations**

### Principle

- 7.1. Policy DM3 is relevant to this application and permits the replacement of existing dwellings in the countryside on a one to one basis where they are no more visually intrusive in the countryside than the building to be replaced. An application earlier this year proposed a replacement dwelling however this application was withdrawn following concerns raised regarding the proposed scale of the replacement dwelling not complying with the policy (DC/19/0094/FUL).
- 7.2. The existing property is a modest, single-storey building located close to the corner of the Main Road and Doctor Watson's Lane junction. The current proposal involves the erection of a new single storey dwelling on a substantially larger footprint than the existing property. The existing property has a footprint of approximately 65 square metres whereas the proposed dwelling would have a footprint of approximately 246 square metres including the attached double garage. The existing dwelling has a ridge height of 4.2 metres whereas the proposed dwelling would have a maximum ridge height of 4.85 metres.
- 7.3. The requirements of DM3 are that the proposed replacement dwelling would be "no more visually intrusive in the countryside than the building to be replaced". As the site is located outside of the defined physical limits boundary of Kesgrave, it is located in the countryside however its location close to the development to the south and with it being bordered by both an electricity sub-station and Telephone Exchange buildings, it is not in a remote, rural location where undeveloped farmland dominates the landscape.
- 7.4. Although the proposed dwelling would be slightly higher, it remains a low scale and given the design and orientation of proposed dwelling with gables fronting main road, the bulk of the property would not be visible from this elevation. Similarly, the property would have a significantly larger footprint than the existing dwelling however the site is large enough to accommodate this and retain sufficient curtilage space to serve the dwelling. The proposed dwelling would also be located further from the site boundaries and therefore in a less prominent location on the site such that existing boundary vegetation would serve to partially screen the proposed dwelling.
- 7.5. There is an existing wooded area to the east of the site and a BT Telephone Exchange to the rear. The proposed dwelling would therefore be screened from the east and be seen against the backdrop of this telephone exchange to the north. Despite its larger footprint, the proposed scale of dwelling is therefore not considered to result in a property that would have an intrusive visual appearance on the countryside and is therefore considered to be compliant with the aims of DM3.

### Design

- 7.6. The proposed dwelling would be simple in form and design with the two front gables being the most dominant view from public view points. The property would be constructed in a Suffolk Red Brick and render with concrete pantile roof and aluminium doors and

windows. The proposed dwelling has no particular design characteristics or qualities and although it is considered that this site has the potential for a more uniquely designed dwelling to be accommodated, the design proposed is not out of keeping with the character of properties elsewhere in Kesgrave.

#### Residential Amenity

- 7.7. There are no other residential dwellings immediately adjoining the site and given the single-storey scale of the proposed dwelling, it is unlikely there would be any impact on residential amenity.

#### Highways

- 7.8. The Highways Authority does not raise any concerns with the proposal for the replacement dwelling however suggests conditions requiring a certain design and layout of the access.

#### Ecology

- 7.9. Suffolk Wildlife Trust object due to the lack of report on protected species. The Council's Ecologist has considered the characteristics of the site and does not consider that the site houses particularly good habitats for protected or priority species. An ecological survey has now also been submitted in respect of the application and this concludes that the site does not contain similar habitats to the nearby Sinks Valley SSSI and is therefore unlikely to support species of interest. It also states that the erection of one dwelling is unlikely to cause significant disturbance to important/nationally scarce species using these habitats. It does however suggest that precautionary steps should be taken during construction which can be a condition if planning permission were granted.

#### Other Matters

- 7.10. The Town Council are concerned about potential health impacts of the potential occupants given the proximity to the BT telephone exchange. The principle of a residential dwelling on the site is long established and although the proposed dwelling would be slightly closer to the exchange, there is no known evidence that this would harm the health of residents.

### **8. Conclusion**

- 8.1 The proposed dwelling would have a noticeably larger footprint than the existing dwelling on the site however its height and scale of building would be similar to the existing, it would be located in a less prominent location on the site and it is not considered to result in a visually intrusive impact on the wider countryside. There would be no harm to residential amenity, ecology or highway safety and therefore the proposal is considered to be acceptable.

## **9. Recommendation**

9.1 Approve, subject to the following conditions.

### **Conditions:**

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan received 7 November 2019, Drawing Nos. 181019 and 191019 received 5 November 2019 and Ecology Report received 18 November 2019 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.  
Reason: For the avoidance of doubt as to what has been considered and approved.
3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.  
Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity
4. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 3 metres. Thereafter the access shall be retained in the specified form.  
Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.
5. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway.  
Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.
6. Before the development is commenced details shall be submitted to and approved by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.  
Reason: To prevent hazards caused by flowing water or ice on the highway.
7. Prior to occupation of the dwelling hereby permitted, precise details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.



Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

8. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within Preliminary Ecological Appraisal (PEA) (Abrehart Ecology, December 2019).

Reason: In order that there will no harm to any protected or priority species on the site.

9. No development, demolition, site clearance (including clearance of vegetation) or earth moving shall take place, or material or machinery be brought onto the site, until a plan detailing Reasonable Avoidance Measures (RAMS) for how ecological receptors (particularly protected and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))) will be protected during site clearance has been submitted to and approved in writing by the local planning authority. All site clearance (including clearance of vegetation) shall be undertaken in accordance with the approved plan.

Reason: In order that there will no harm to any protected or priority species on the site.

10. No development shall commence or any materials, plant or machinery be brought on to the site until fencing to protect the trees along the eastern site boundary has been erected 1 metre beyond the canopy of the trees. The protective fencing shall comply with BS.5837 and be retained throughout the period of construction unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

11. No development shall commence on the construction of the hereby approved replacement dwelling, until the existing dwelling (known as '102 Main Road') has been demolished in its entirety, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that there would be no more than 1 dwelling on the site, in the interests of residential amenity and because the site lies within the countryside, where additional dwellinghouses are only permitted in exceptional circumstances.

12. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic

structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management

procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk)

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

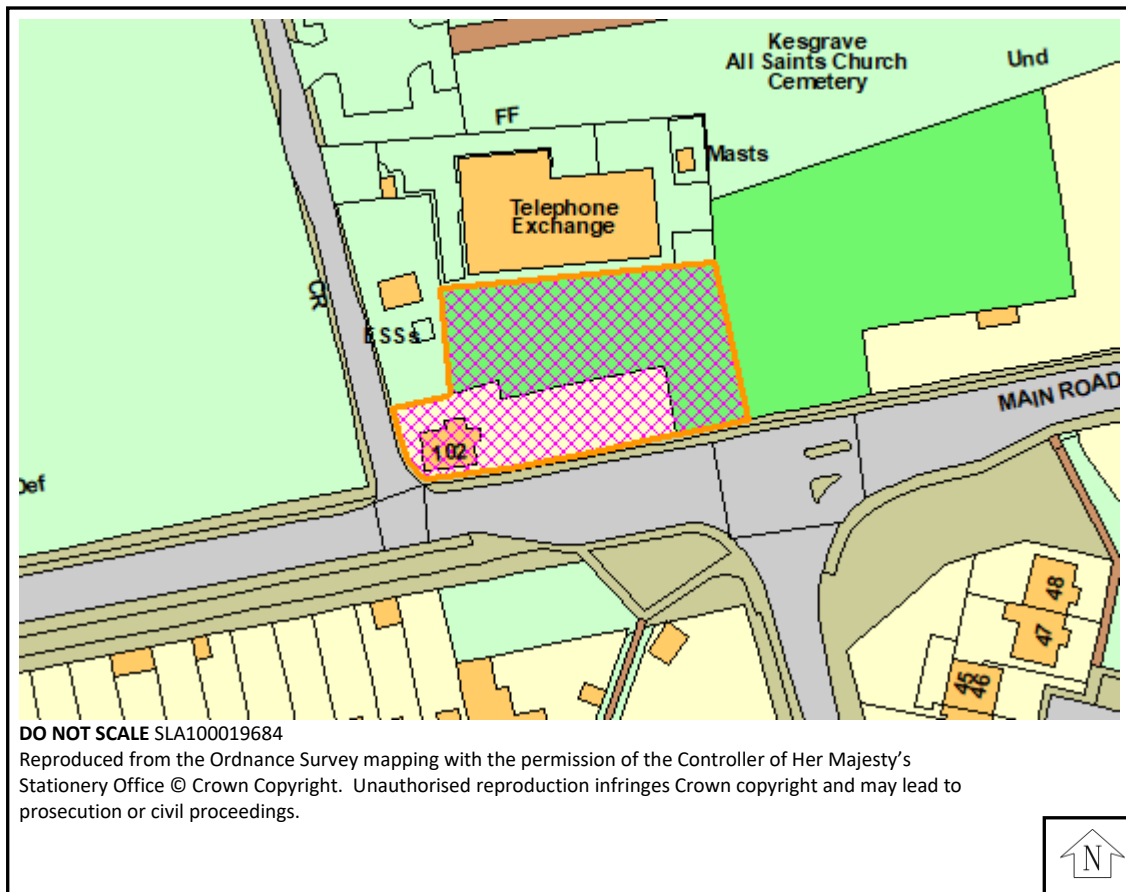
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

#### **Background information**

See application reference DC/19/4322/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q0HKP1QXFUF00>

## Map



## Key

- Notified, no comments received
- Objection
- Representation
- Support